

U.S. Patent Application Serial No. 10/519,879
Reply to Office Action of February 5, 2007

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REMARKS

Applicants have received and reviewed the Restriction and Species Election Requirement mailed February 5, 2007. By way of response to the Restriction Requirement, Applicants elect the claims of Group I, claims 1-7, with traverse. By way of response to the Species Election Requirement, Applicants elect semecarpous anacardium Linn, with traverse. Applicants respectfully submit that all of the pending claims are generic.

Reasons for Traverse

At the outset it is submitted that the present application is for a single invention, and there is a unity of invention as disclosed. The groups of claims are related as composition and method of making it. Accordingly, the restriction requirement should be withdrawn.

Claims 1 to 7 refer to a product which is an 'ayurvedic nutritional preparation , and claims 8 to 11 refer to a process for making the product as claimed in 1 to 7 only. Claims 1 to 7 refer to class 424 and constituents used fall under subclass 754 (...containing or obtained from allium.) and subclass 756 (containing or obtained from zingiberaceae...). Claims 8 to 11 are also drawn to a process which falls under class 424 where in the constituents fall under subclass 754 (containing or obtained from allium.) and subclass 756 (contained or obtained from Zingiberaceae) as set out in claim 8.

In view of the above, Applicants respectfully request the Examiner to withdraw the restriction.

The nuts fall under the anacardiaceae family, and a literature search would be for inventions in the field of ayurveda where in nuts from the anacardiaceae family are used along with extract of allium sativum Linn and Zingiber officinale Linn. Accordingly, it would not be an undue burden to search both of the species listed in the species election requirement. Accordingly, Applicants respectfully request withdrawal of the species election requirement.

The Present Invention

The present application, which is entitled 'AYURVEDIC NUTRITIONAL PREPARATION', refers to a food supplement which has been devised and prepared using the principals of the AYURVEDIC SCHOOL OF MEDICINE. The present invention refers to a

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particular type of ayurvedic nutritional preparation for use as a food supplement, which can revitalise the human body. The preparation can include an extract of nut oil from the anacardiaceae family and an extract of allium sativum Linn and Zingiber officinale Linn. Nuts from the genus anacardiaceae have not been reported to have been used as a food supplements because of their irritant character. The present invention reduces or eliminates the irritant character of the anacardiaceae nuts.

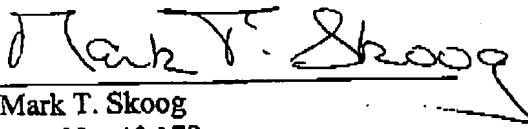
In contrast, known ayurvedic preparations include other ingredients, such as terminalia arjuna bark, acorus calamus stem, magnifera indica bark, Moringa Oelifera bark, murraya koengil leaf, pipeer longum fruit, boerhaavia diffusa root. These ingredients are significantly different from the claimed ingredients.

Summary

In summary, each of the pending claims is in condition for allowance, and notification to that effect is earnestly solicited. The Examiner is invited to telephone Applicants' undersigned representative, if the Examiner believes that doing so might advance the application.

Respectfully submitted,
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